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FORT LAUDERDALE CITY COMMISSION
July 10, 2001**

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
JULY 10, 2001**

Meeting was called to order at 6:07 P.M. by Mayor Naugle on the above date, City Commission Meeting Room.

Roll call showed:

Present: Commissioner Tim Smith
Commissioner Carlton B. Moore
Commissioner Cindi Hutchinson
Commissioner Gloria Katz
Mayor Jim Naugle

Absent: None

Also Present:	City Manager	F. T. Johnson
	City Attorney	Dennis E. Lyles
	City Clerk	Lucy Masliah
	Sergeant At Arms	Rousseau

Invocation was offered by *Dr. Diane Mann*, 4th Avenue Church of God. Commissioner Smith congratulated Dr. Mann on her Church's 75 years of faithful service to the community.

Pledge of Allegiance to the Flag.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that the agenda and minutes of the meeting as shown below be approved:

Regular Meeting June 19, 2001

Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle.
NAYS: none.

Note: All items were presented by Mayor Naugle unless otherwise shown, and all those desiring to be heard were heard. Items discussed are identified by the agenda number for reference. Items not on the agenda carry the description "OB" (Other Business).

Presentations (OB)

1. Expressions of Sympathy

Mayor Naugle offered Expressions of Sympathy, on behalf of the City Commission, to the families of Howard Stillman Bates and Helene Klein.

2. Smoke Detector Test

Commissioner Hutchinson demonstrated the proper method of testing the batteries in a smoke detector and encouraged everyone at home to do the same.

3. Commendations

The Police Chief announced that Commendations had been prepared for *Cedric Anderson, Larry Riddick, Romaine Brown and Steven Green*. He explained that an arson had taken place on Northwest 17th Avenue in May, and a neighbor and four young people had observed suspicious activity. They had observed a fire and called the Fire and Police Departments, and they had been able to provide information to the investigating officers. The Police Chief reported that these four young people had armed themselves with garden hoses and put out the fire, which had prevented injuries.

4. 2001 Air & Sea Show

Mr. Mickey Markoff, MDM Group, presented a plaque and framed poster for the 2001 Air & Sea Show to the City Commission. He recalled that he had brought the Air & Sea Show to Fort Lauderdale 7 years ago, at a time when the community had been going through a major transition. Mr. Markoff was proud to be a part of this growing, vibrant community, and he was glad he could bring a patriotic, family-oriented, national event to the City. He announced that the Show would be broadcast worldwide this weekend in 144 countries and in 7 languages.

Mayor Naugle presented Mr. Markoff with a Key to the City. He acknowledged the challenge of providing a better and better Show each year that helped promote Fort Lauderdale. Mayor Naugle hoped Mr. Markoff would continue to produce this beautiful event for years to come. Despite inconveniences, Mayor Naugle pointed out that this event was a wonderful recruitment tool for the military in addition to the benefits it brought Fort Lauderdale.

Commissioner Hutchinson wished to thank Mr. Markoff for something he had done for her personally. She advised that a dear friend had been celebrating his 60th birthday, and Mr. Markoff had arranged for him to fly the Russian MIG. Although they would not allow him to take off or land the plane, he'd had the time of his life, and Commissioner Hutchinson was very appreciative. Mayor Naugle noted that Commissioner Hutchinson's friend was a member of the Charter Review Board, Mr. Ed Curtis, who had been a Navy test pilot before becoming an Attorney.

5. Commendation – Vivian Dempsey

Commissioner Smith presented a Commendation to *Vivian Dempsey*. Ms. Dempsey had been a Fort Lauderdale resident for 45 years, and she was an active member of the Beautification Committee of the South Middle River Civic Association. She had worked tirelessly toward the beautification of the neighborhood and had orchestrated the planting 298 trees in the area with the help of neighborhood volunteers. Commissioner Smith commended Ms. Dempsey on her dedication to the "greening" of the South Middle River neighborhood.

Ms. Dempsey stated that there had been 60 volunteers from the South Middle River Civic Association in this effort and expressed appreciation for this honor.

6. “Parks and Recreation Month”

Commissioner Moore read aloud and presented a Proclamation declaring July, 2001 as “Parks and Recreation Month” in the City of Fort Lauderdale. Mr. Ernest Burkeen, Director, accepted the Proclamation on behalf of the Parks & Recreation Department. He invited everyone to celebrate Parks and Recreation Month by taking advantage of the wonderful opportunities available in this community, courtesy of the Parks & Recreation Department. Mr. Burkeen introduced the Fort Lauderdale Stars – a gymnastics team under the direction of Robert Stanfield – which provided a demonstration. The audience expressed its appreciation of the Team’s talents with an ovation.

Commissioner Moore presented Mr. Burkeen with a donation for the Driver’s Education Course, as promised at a recent meeting.

7. Outstanding City Employees of the Month

The City Manager introduced Department Directors to present the Outstanding City Employees of the Month:

- Bill Radwanski, of the Parks and Recreation Department;
- John Donato, Ken Sullivan, Kevin Edwards, Francisco Santos, Jr., Lloyd Williams, Richard Miegler and Terry Johnson, of the Public Services Department;
- Peter Jarman, of the Finance Department;
- Officer Sam Pantaleo and PSA Maurice Eastburn, of the Police Department; and
- Lieutenants William Humphrey, Ian Kemp, John SanAngelo and Firefighter Dennis Hole, of the Fire-Rescue Department

8. Water Restrictions

Mayor Naugle stated that Fort Lauderdale continued to face a severe water shortage despite recent rains and reminded residents to “Turn It Off!”

Consent Agenda (CA)

The following items were listed on the agenda for approval as recommended. The City Manager reviewed each item and observations were made as shown. The following statement was read:

Those matters included under the Consent Agenda are self-explanatory and are not expected to require detailed review or discussion. Items will be enacted by one motion; if discussion is desired by any Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

Event Agreement – Jerry’s Birthday Bash (M-1)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **P.R.C. Productions, Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with **Jerry’s Birthday Bash** to be held **Saturday, August 4, 2001 from 12:00 noon to 7:00 p.m.** at Snyder Park.

Recommend: Motion to approve.

Exhibit: Memo No. 01-987 from City Manager.

Execution of Plat as Mortgage Holder – Henderson Mental Health Center (M-2)

A motion authorizing the proper City officials to execute a plat as a mortgage holder for the Henderson Mental Health Center.

Recommend: Motion to approve.

Exhibit: Memo No. 01-972 from City Manager.

**Revision of Business Incentives –
Enterprise Zone (EZ) Loan and Façade Programs -
Northwest-Progresso-Flagler Heights Community Redevelopment Area(M-3)**

A motion authorizing amendments to the EZ Loan Program and Façade Program in the Northwest-Progresso-Flagler Heights Community Redevelopment Area (CRA).

Recommend: Motion to approve.

Exhibit: Memo No. 01-652 from City Manager.

Statewide Mutual Aid Agreement – Department of Community Affairs..... (M-4)

A motion authorizing the proper City officials to execute the Statewide Mutual Aid Agreement with the Department of Community Affairs.

Recommend: Motion to approve.

Exhibit: Memo No. 01-1004 from City Manager.

**Grant Application – Federal Aviation Administration (FAA) – Project 1000 –
Executive Airport Airfield Electrical, Lighting and Signage Rehabilitation (M-5)**

A motion authorizing the proper City officials to apply for a grant from the FAA for approximately \$168,000 for implementing runway safety improvements at Executive Airport; and further authorizing the proper City officials to execute all documents necessary to accept such grant funds.

Recommend: Motion to approve.

Exhibit: Memo No. 01-946 from City Manager.

**Contract Renewal – F & L Construction, Inc. – Project 10250-A –
Annual Contract (2001/2002) for Concrete and Paving Stone Repair (M-6)**

A motion authorizing the proper City officials execute an agreement with F & L Construction, Inc. in the approximate amount of \$146,185 for the annual contract for concrete and paving stone repair.

Funds See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-937 from City Manager.

**Task Order – Keith and Schnars, P.A.
(Professional General/Civil Engineering Consultant Services) –
Project 10377 – Miami Road Area Sanitary Sewer Design Services (M-7)**

A motion authorizing the proper City officials to execute a Task Order with Keith and Schnars, P.A., in the amount of \$224,061 for survey, design, and construction inspection/administration services associated with the Miami Road area sanitary sewer improvements.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-763 from City Manager.

**Change Order No. 1 – B. K. Marine Construction, Inc. –
Project 10356 - Seawall Along East Side of Cordova Road
Right-of-Way (Vicinity of S.E. 10 Street) (M-8)**

A motion authorizing the proper City officials to execute Change Order No. 1 with B. K. Marine Construction, Inc. in the amount of \$59,250 to repair seawall along the east side of Cordova Road right-of-way in the vicinity of S.E. 10 Street, under the City's annual marine facilities contract.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 01-949 from City Manager.

**Change Order No. 1 –
Spades Constructors, Inc. - Project 8994 – Additional Beach Lifeguard Stands (M-9)**

A motion authorizing the proper City officials to execute Change Order No. 1 with Spade Constructors, Inc. in the amount of \$200,305 for the construction and installation of seven (7) additional lifeguard stands on the beach.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 01-1021 from City Manager.

Change Order No. 4 (Final Adjusting) – Coastal Contracting and Development, Inc. – Project 9571 – Fire Station Life Safety Modifications (M-10)

A motion authorizing the proper City officials to execute Change Order No. 4 with Coastal Contracting and Development, Inc. in the amount of \$33,003 for additional work at the City's fire stations.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 01-939 from City Manager.

Change Order No. 8 – F & L Construction, Inc. – Project 10250 - Annual Contract (2000/2001) for Repair of Additional Concrete Sidewalks (M-11)

A motion authorizing the proper City officials to execute Change Order No. 8 with F & L Construction, Inc. in the amount of \$63,125 for the repair of additional concrete sidewalks.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 01-936 from City Manager.

Contract Award – Subaqueous Services, Inc. - Project 10118 – Navigational Dredging of the North Fork New River (M-12)

A motion authorizing the proper City officials to execute an agreement with Subaqueous Services, Inc. in the amount of \$359,000 for the navigational dredging of the North Fork New River.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-944 from City Manager.

Contract Award – APAC-Florida, Inc. - Project 9831 – Executive Airport Way and Drainage Swale Improvements (M-13)

A motion authorizing the proper City officials to execute an agreement with APAC-Florida, Inc. in the amount of \$700,085.20 for the Executive Airport way and drainage swale improvements.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-945 from City Manager.

**Contract Award – Fast Dry Courts, Inc. -
Project 10144-A – Holiday Park Resurfacing of Tennis Courts and Brick Pavers(M-14)**

A motion authorizing the proper City officials to execute an agreement with Fast Dry Courts, Inc. in the amount of \$72,200 for resurfacing of 18 fast dry tennis courts and the installation of brick pavers at the Holiday Park Tennis Center.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-942 from City Manager.

PURCHASING AGENDA

RFP 512-8432 – Contract for Minutes Secretary Service(Pur-1)

A two-year contract for minutes secretary services for various City Advisory Boards is being presented for approval Citywide.

Low Responsible Bidders: ProtoTYPE Secretarial Services
Davie, FL
Margaret D'Alessio (WBE)
Hallandale, FL
Amount: \$ 21,780.00 (estimated annual total)
Bids Solicited/Rec'd: 45/4 with 2 no bids
Exhibits: Memorandum No. 01-963 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to award to the top ranked proposers.

392-8065 – Amend Agreement/Revenue for Public Pay Telephones (Pur-2)

Amend agreement for revenue payments for public pay telephones is being presented by the Administrative Services, Information Technology Division, for approval.

Low Responsible Bidder: BellSouth Public Communications, Inc.
Fort Lauderdale, FL
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-927 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to approve the proprietary purchase.

Proprietary – Legal Publications and Reference Books (Pur-3)

An agreement to purchase legal publications and reference books is being presented by the City Attorney's Office for approval.

Low Responsible Bidder: West Group
St. Paul, MN
Amount: \$ 29,035.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-983 from City Attorney

The Purchasing Division reviewed this item and supports the recommendation to approve the proprietary purchase.

Fleet Plan FY 2001-02 (Pur-4)

An agreement to purchase 147 vehicles and equipment for FY 2001-02 Fleet Plan is being presented by the Administrative Services, Fleet Services Division, for approval.

Amount: \$ 4,206,000.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-974 from City Manager

The Purchasing Division recommends approval of the Fleet Plan for fiscal year 2001-02.

Proprietary – Roller Hockey Rink Enclosure (Pur-5)

An agreement to purchase roller hockey rink enclosures from the Miami-Dade Contract is being presented by the Parks and Recreation Department for approval.

Low Responsible Bidder: Contract Connection, Inc.
Pembroke Pines, FL
Amount: \$ 35,036.10
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-973 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to approve the proprietary purchase from Miami-Dade Contract.

Co-Op Contract 712-8469 – Contract for Propane Gas (Pur-6)

A one-year contract for propane gas is being presented by the Parks and Recreation Department for approval.

Low Responsible Bidder: MacMillan Propane Gas Company
of Florida, Inc. (MBE)
Hialeah, FL
Amount: \$ 50,000.00 (estimated)
Bids Solicited/Rec'd: 16/3
Exhibits: Memorandum No. 01-999 from City Manager

The Purchasing Division recommends award to the lowest responsive and responsible bidder.

Proprietary – Bloodborne Disease Screening Services (Pur-7)

An agreement to provide bloodborne disease screening services is being presented by the Fire Rescue Department for approval.

Low Responsible Bidder: HEP-C Alert
Hollywood, FL
Amount: \$ 15,136.00
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-978 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to approve the proprietary purchase.

Bid 612-8500 – Contract for Flexible Couplings (Pur-8)

A one-year contract to provide flexible couplings is being presented by the Public Services Department for approval.

Low Responsible Bidder: Lion Plumbing Supply, Inc.
Miami, FL
Amount: \$ 35,705.25
Bids Solicited/Rec'd: 8/2 with 1 no bid
Exhibits: Memorandum No. 01-1011 from City Manager

The Purchasing Division recommends award to the lowest responsive and responsible bidder.

Bid 612-8470 – Contract for Sidewalk Replacement/Concrete Repair (Pur-9)

Two year contract to provide sidewalk replacement and concrete repair is being presented by the Public Services Department for approval.

Low Responsible Bidder: L.D. Krezmien Builders, Inc.
Fort Lauderdale, FL
Amount: \$ 428,982.50 (estimated annual total)
Bids Solicited/Rec'd: 7/2
Exhibits: Memorandum No. 01-924 from City Manager

The Purchasing Division recommends award to the lowest responsive and responsible bidder.

Bid 432-6483 – Cost Increase Sanitation Fleet Maintenance (Pur-10)

Cost increase for sanitation fleet maintenance is being presented by the Public Services Department for approval.

Low Responsible Bidder: Sanitation Maintenance, Inc.
Fort Lauderdale, FL
Amount: \$6,559.00 (estimated through 1/31/02)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-854 from City Manager

The Purchasing Division recommends approval for the cost increase.

Bid 612-8439 - Sanitary Sewer/Manhole Repair Award and Acceptance of Settlement for Remaining Obligations (Pur. 11)

An agreement to award a contract for 13 remaining segments of sanitary sewer and manhole repair piping and acceptance of a settlement and cancellation of remaining contract obligations is being presented by the Public Services Department for approval.

Low Responsible Bidder: Killebrew, Inc. (MBE)
Coral Springs, FL
Cancel Bidder: MasTec north America, Inc.
Fort Lauderdale, FL
Amount: \$ 440,322.00
Settlement Amount: \$ 125,000.00 (to be paid to the City)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-1009 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to approve acceptance of settlement offer, cancellation of remaining obligations of agreement with MasTec North America, Inc. and award a contract to Killebrew, Inc. for the remaining thirteen segments.

Bid 712-8459 – Contract for Recycling Collection Services (Pur-12)

A three-year contract for recycling collection services is being presented by the Public Services Department for approval.

Low Responsible Bidder: EarthCare Resources Management
of Florida, Inc.
Boca Raton, FL
Amount: \$ 583,909.00 (estimated annual total)
Bids Solicited/Rec'd: 22/5 with 2 no bids
Exhibits: Memorandum No. 01-938 from City Manager

The Purchasing Division recommends award to the lowest responsive and responsible bidder.

Motion made by Commissioner Moore and seconded by Commissioner Smith that Consent Agenda Item Nos. M-7, M-8, M-9, M-10, M-11, M-12, M-14, Pur. 1, Pur. 2, Pur. 3, Pur. 5, and Pur. 9 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda Items be approved as recommended. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

**Task Order – Keith and Schnars, P.A. (Professional General/
Civil Engineering Consultant Services) – Project 10377 –
Miami Road Area Sanitary Sewer Design Services (M-7)**

Commissioner Katz asked if this was the first project associated with the Master Plan. Mr. Greg Kisela, Assistant City Manager, replied that this was the first being presented to the Commission, but the Lauderdale Manors and Progresso neighborhoods were being addressed simultaneously. Commissioner Katz asked staff to keep a log of expenditures from the Master Plan as they were approved. Mr. Kisela agreed to do so.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-7 be approved as recommended. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

**Change Order No. 1 – B.K. Marine Construction, Inc. –
Project 10356 – Seawall Along East Side of Cordova Road
Right-of-Way (Vicinity of Southeast 10th Street) (M-8)**

Commissioner Moore inquired about funding for seawall repairs. Mr. Hector Castro, City Engineer, explained that this item involved public seawall along Cordova Road. However, there was dockage for the upland properties, and there were 4 properties involved in this particular section of seawall. Of those, 3 did not have dock permits, and he did not believe there was any opportunity to assess those property owners for this work. Mr. Castro stated that although 1 property had a dock permit, the section of seawall associated with that property was only about 10' long, and it was questionable as to whether or not it could be used for dockage at all.

Commissioner Moore asked how other seawalls around the City were repaired. Mr. Castro stated that seawall repair was part of the Capital Improvement Program (CIP), and monies were set aside each year to repair public seawalls.

Motion made by Commissioner Moore and seconded by Commissioner Smith that Consent Agenda Item No. M-8 be approved as recommended. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

**Change Order No. 1 – Spades Constructors, Inc. –
Project 8994 – Additional Beach Lifeguard Stands (M-9)**

Commissioner Hutchinson asked how many lifeguard stands were being constructed. Mr. Pete Sheridan, Assistant City Engineer, believed that 8 stands would be constructed, which would complete the 15 originally proposed. Commissioner Smith asked if the stands would be grounded, and Mr. Sheridan replied they would

Mayor Naugle asked if the lifeguards were satisfied with the design. He had noticed that the new stands were a little lower than the old ones, and he wondered about visibility. Mr. Stu Marvin, Beach Patrol, stated that he had not yet been able to sit in one because none had been completely finished yet. He had, however, stood in one, and he thought it looked promising. Mayor Naugle wondered if it would be wise to delay constructing more of the stands until everyone was sure they would be satisfactory, particularly in light of the cost. Mr. Marvin did not believe anything more than minor tweaking would be necessary.

Commissioner Hutchinson noted that the back-up material indicated that the first stand had been delivered and placed on the beach prior to the Air & Sea Show. Mr. Sheridan explained that the stands were not yet being occupied because the contract had not yet been closed out, and there were some punch list items to resolve.

Commissioner Smith asked if there was any reason why this item could not wait until the first 8 stands had been tried. Mr. Sheridan advised that this contractor was completing the balance of the stands, and he was not sure the contractor's price would still be valid in September. Commissioner Smith suggested that one stand be manned and this decision deferred to the next meeting. Mr. Sheridan stated that the design had been worked through, and he had no reason to think the height of the stands was an issue. He explained that making the stands higher necessitated a greater footprint, which raised complicated issues involving the Department of Environmental Protection.

Mayor Naugle asked the City Manager if he would guarantee that staff would not be back later indicating that there was a problem with these stands. The City Manager replied that he would provide his personal guarantee. He also reminded the Commission that it had taken about 10 years to obtain approval from all the various entities involved in this project. He was sure he would not be back asking for changes from the Commission.

Motion made by Commissioner Hutchinson and seconded by Commissioner Katz that Consent Agenda Item No. M-9 be approved as recommended. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

**Change Order No. 4 (Final Adjusting) – Coastal Contracting and
Development, Inc. – Project 9571 – Fire Station Life Safety Modifications (M-10)**

Mayor Naugle asked how many fire stations had been involved in this project. Mr. Sheridan replied that this involved 9 of the 12 fire stations. Commissioner Smith inquired about Station 2. Mr. Sheridan advised that all the work necessary until the new facility was constructed had been completed.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-10 be approved as recommended. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

**Change Order No. 8 – F & L Construction, Inc. –
Project 10250 – Annual Contract (2000/2001) for
Repair of Additional Concrete Sidewalks (M-11)**

Mayor Naugle inquired as to the standard thickness of sidewalks. Mr. Castro replied that sidewalks were required to be 4" in residential areas to 6" in driveway crossings. Commissioner Moore noted that Pur. 9 was related to this item. Mr. Castro explained that Pur. 9 involved a contract that related to utility crews servicing water lines, which required sidewalk removal and replacement. Mayor Naugle asked if the \$2.25 per square foot price applied to Pur. 9 as well. Mr. Mike Bailey, Public Services Department, did not have the prices with him on that particular contract, but he thought it was probably more expensive because the work was done piece by piece. He stated that these two contracts had been combined at one time, but it had not worked well because better prices could be obtained for larger jobs.

Mayor Naugle asked if the price difference was significant. Mr. Bailey believed it was close to \$5 per square foot for the sidewalk repairs associated with utilities work. Commissioner Moore wished to table this item pending additional information. Mr. Bailey did not think a delay would cause a problem.

Commissioner Smith reported that there had been discussion about the paver bricks on Broward Boulevard already looking dirty, and he wondered if they could be cleaned and sealed. Mayor Naugle stated that the County sawed asphalt to install sensor strips, and an asphalt liquid was poured over it. Unfortunately, vehicles passed over those strips before it dried, which caused all the streaking. Mr. Castro agreed that was correct, and staff had posed a question about cleaning it to the Florida Department of Transportation (FDOT). Mayor Naugle understood that the County's asphalt was being tracked onto the State's bricks, but the City was responsible for maintenance. Mr. Castro advised that the contractor had to turn all of this construction over to the City in top-notch condition, so the contractor would have to find a way to clean it. Staff would watch very closely so they would know how to do it as well.

It was the consensus of the Commission to consider this item on July 17, 2001.

**Contract Award – Subaqueous Services, Inc. – Project 10118 –
Navigational Dredging of the North Fork New River (M-12)**

Commissioner Hutchinson believed there had been some problems with this because she had inquired about the permit, but those issues had been resolved. Mr. Castro agreed that all the permits necessary would be obtained by July 15, 2001.

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore that Consent Agenda Item No. M-12 be approved as recommended. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

**Contract Award – Fast Dry Courts, Inc. – Project 10144A –
Holiday Park Resurfacing of Tennis Courts and Brick Pavers (M-14)**

Commissioner Moore was concerned about the expense of this project. Mayor Naugle wondered if there were any revenues to offset the cost. Mr. Sheridan advised that the cost was in line with the cost in the past. He noted that it was also typical to only have one bidder because this company was the supplier and the installer. Mr. Ernest Burkeen, Parks & Recreation Director, advised that he could provide a report on the revenues generated by the tennis fees.

Mayor Naugle thought it would be helpful if the Commission had a copy of the budget at all of its meetings.

Mr. Mahendra Gupta felt that all of this information should be in hand when the Commission made decisions about expenditures. Commissioner Moore preferred to table this item pending additional information.

Mr. Kisela reported that revenues generated by the tennis center amounted to \$314,000. Commissioner Moore wondered about the expenses covered by the revenue. He was concerned about maintenance needs in the amount of \$72,000 every two years and personnel costs. Mr. Kisela advised that the contract employees were paid with revenue generated by fees for lessons on an hourly rate.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-14 be approved as recommended. Roll call showed: YEAS: Commissioners Smith, Hutchinson, Katz, and Mayor Naugle. NAYS: Commissioner Moore.

Mr. Kisela said that he would provide a “Friday memo” in this regard.

RFP 512-8432 – Contract for Minutes Secretary Services (Pur. 1)

Commissioner Moore inquired about the expected turn-around time for minutes prepared by these two contractors. Mr. Kirk Buffington, Purchasing Manager, stated that the turn-around time was specified in the contract. He advised that each board had different turn-around requirements. Commissioner Moore asked if these two providers were meeting those expectations. Mr. Buffington stated that these were new providers. He noted that there had been little competition on this contract in the past, so he was happy to have two new providers to back up Ms. Susan Barras, who had provided the services over the past years.

Mayor Naugle asked if the minutes associated with this contract were currently being done in house. Mr. Buffington believed some were being done in house at the present time. Mayor Naugle thought this was a good idea, but he felt there should be some policy because he sometimes received advisory board minutes 3 or 4 months after the meetings. He had been told that was sometimes due to the fact the minutes had not yet been approved by the applicable board, and he hoped the Commission could receive them more quickly, even if they were stamped as “drafts” before approval.

Mr. Buffington said he would work with the City Clerk’s Office to provide a report in this regard, and staff would ensure the new contractors stayed within the bounds of the contract.

Motion made by Commissioner Moore and seconded by Commissioner Smith that Consent Agenda Item No. Pur. 1 be approved as recommended. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Bid 392-8065 – Amend Agreement/Revenue for Public Pay Telephones (Pur. 2)

Commissioner Moore understood this contract was being extended to September, 2002 before “piggy-backing” on the County contract, with the City’s percentage being reduced now. Mr. Kirk Buffington, Purchasing Manager, explained that BellSouth had originally been awarded a contract for public telephones in the public rights-of-way and the pay phones at the City jail. That contract had been based on a minimum percentage guarantee for different types of phone calls and a fixed guarantee of income each month even if the percentages were not met.

Mr. Buffington stated that there had been a significant decrease in pay phone use over the past few years, probably due to the use of cellular phones. BellSouth had indicated it could no longer meet those minimum revenues, and it was getting out of the pay phone business in December, 2002. He explained that the intent of this item was to amend the agreement so BellSouth would continue to pay the percentages, and the percentages had been increased on certain types of calls, and delete the minimum guaranteed revenue. Mr. Buffington added that between now and December, 2002, staff would examine options to continue some type of pay phone service in the City’s best interest.

Commissioner Moore thought that if BellSouth felt it could no longer meet the agreement and wanted to renegotiate the contract, the City should determine if there were any other providers willing to meet the minimum guaranteed revenue amount. Mr. Buffington noted that this agreement could be canceled at any time, and staff was almost ready to release an RFP to gauge the response. He added that some pay phones generated less than \$25 per month.

Mr. Mark Pallans, Telecommunications Manager, reported that there had originally been about 85 pay phones, and 18 of those were in the jail. He advised that the phones in the jail were basically the only real profit-makers, and the jail population had been cut in half. Some 23 of the other phones had been removed because they had been operating at a loss, so there were about 40 phones left in the right-of-way with revenues of less than half of projections.

Commissioner Smith asked staff to provide a list of the locations of the phones. He noted that there were phones not operated by BellSouth that were a scourge on the community. Therefore, he was concerned about the idea of some other company, which might not be as responsible as BellSouth, taking over the contract. Mr. Buffington said he would provide a list of all the phones in service, and he noted that Code Enforcement staff dealt with phones that were not properly permitted.

Mr. Gupta believed BellSouth had made millions of dollars from pay phones. He felt the company should be made to honor the contract. Mayor Naugle asked if the contract also allowed BellSouth to cancel with 90 days notice. Mr. Buffington agreed BellSouth was within its rights to do that, and it would continue to pay the percentage of revenues.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item No. Pur. 2 be approved as recommended. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Proprietary – Legal Publications and Reference Books (Pur. 3)

Commissioner Hutchinson desired a breakdown of the \$29,000 expenditure. The City Attorney stated that this was actually an item that “looked backwards” over the past year, and there were even a view invoices from the previous fiscal year. He explained that over time West Publishing Company had absorbed virtually all of the competition, so all the books had to be purchased from West Publishing. Now, it was a proprietary item that exceeded \$10,000 on its own. Mr. Buffington said he would work with the City Attorney’s Office to provide a breakdown.

Mayor Naugle wondered if this expense would be eliminated as people became more computer literate. The City Attorney did not believe so. In fact, in some cases, supplements came out anywhere from weekly to annually, so new books were rarely purchased. The City Attorney believed that the conversion of a set of books to a disk was very expensive, although that was being done in cases where monies could be saved. In addition, online services were used whenever possible.

Motion made by Commissioner Hutchinson and seconded by Commissioner Smith that Consent Agenda Item No. Pur. 3 be approved as recommended. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Proprietary – Roller Hockey Rink Enclosure (Pur. 5)

Commissioner Hutchinson understood the funds for the hockey rink enclosure would come from the 1996 Parks Bond Issue. She asked if the money was being taken from other projects that were on hold. Mr. Vince Gizzi, Parks & Recreation Department, stated that these monies were coming from the Parks Bond Reserve Fund.

Motion made by Commissioner Hutchinson and seconded by Commissioner Smith that Consent Agenda Item No. Pur. 5 be approved as recommended. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Bid 612-8470 – Contract for Sidewalk Replacement/Concrete Repair (Pur. 9)

Commissioner Hutchinson believed her question about why two different contractors were used had been answered earlier. The City Manager advised that the Commission would be receiving a thorough report about sidewalk repair before the end of the week.

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore that Consent Agenda Item No. Pur. 9 be approved as recommended. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

MOTIONS

Those matters included under the Motions category differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion item if so desired.

**City Commission Request for Review –
New Nonresidential Use Within 100 Feet of Residential Property –
Corn Properties – 3440 Davie Boulevard (PZ Case No. 25-R-01) (M-15)**

A motion was presented scheduling a public hearing for July 17, 2001 at 6:00 p.m. to hear the following application for a new, nonresidential use within 100 feet of residential property. (Requested by Mayor Naugle and Commissioners Moore and Hutchinson).

Applicant: Corn Properties
Request: New nonresidential use within 100 feet of residential property
Location: 3440 Davie Boulevard

Commissioner Katz asked if there would be special requirements for these places to be next to residential areas or if this was necessary because there were no “teeth” in current regulations. Commissioner Hutchinson believed that was the case. Ms. Cecelia Hollar, Construction Services, stated that there were requirements in place, including this ability to call up an item for review. She noted that the criteria would be presented when the hearing was held on July 17, 2001.

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore to schedule a public hearing for July 17, 2001 at 6:00 P.M. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

**Proposed Lien Settlements for Special Master and
Code Enforcement Board Cases (M-16)**

A motion was presented authorizing proposed settlements for the following Special Master and Code Enforcement Board cases:

1. CE99070586 – Vonnie L. Carlton and Betty J. Carlton, 812 S.W. 1 Street (\$5,500)
2. CE98100585 – Vonnie L. Carlton and Betty J. Carlton, 226 S.W. 16 Court (\$21,000)
3. CE00040512 – Edward Thomas Dinna, 719 Intracoastal Drive (\$3,480)
4. 9403002 – Ravindra Mallick and Nishi Mallick, 2901 Belmar Street (\$20,220)
5. CE98110326 – Cedius F. Mereus and Albertha J. Mereus, 1344 N.W. 5 Avenue (\$3,000)
6. CE98102060 – Mose Samet and Elsie L. Samet, 616 N.W. 2 Avenue (\$9,390)
7. CE990811437 & CE00051207 - Mellon Mortgage Company, 547 N.W. 7 Terrace (\$4,300)
8. CE98060190 – C. and Harriet Congleton, c/o Alvin Congleton, 231 South Atlantic Boulevard (\$945)
9. CE98121566 – L’Ambiance Beach, Ltd., 4240 Galt Ocean Drive (\$54,127.50)
10. CE97041339 – John O. Ulbrich, 920 N.E. 17 Street (\$3,500)
11. CE98010093 – James S. Piskorowski, 1728 S.W. 13 Street (2,580)

Mayor Naugle had a question relating to Settlement No. 9 – CE98121566.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to approve the lien settlements as recommended with the exception of Settlement No. 9 – CE98121566. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

9. CE98121566 – L’Ambiance Beach, Ltd., 4240 Galt Ocean Drive (\$54,127.50)

Mayor Naugle asked if this settlement was 15% of the accrued fines. Mr. John Simmons, Building Official, replied that it did represent 15% of the fine amount. Mayor Naugle felt the amount should be higher in light of the volume of citizen complaints with respect to this property. Commissioner Moore understood the recommended settlement amount was \$54,127.50. Commissioner Smith noted the amount of the lien was \$360,000. Mayor Naugle suggested a \$180,000 settlement. Commissioner Moore inquired as to the cost of handling the case. Mr. Simmons believed the settlement amount would more than recover the cost of enforcement. He believed the respondent had become caught in a “Catch 22.” He explained that some of the fines on individual citations had run until the overall project had been completed, although the respondent had vacated the rooms and barricaded any hazardous areas in the meantime. Mr. Simmons felt everything possible had been done, and a considerable investment had been made in the property.

Mr. Gupta thought the City should collect the entire \$360,000.

Motion made by Commissioner Moore and seconded by Commissioner Katz to approve this settlement as recommended. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, and Katz. NAYS: Mayor Naugle.

**Annual Action Plan for the FY 2001/2002 Program Year
for Department of Housing and Urban Development (HUD)
Programs: Community Development Block Grant (CDBG),
HOME Investment Partnerships Program, Emergency Shelter Grant
(ESG) and Housing Opportunities for Persons With AIDS (HOPWA) (M-17)**

A motion was presented authorizing the proper City officials to approve the proposed annual Action Plan budget for HUD Programs (CDBG, HOME Investment Partnerships Program, ESG and HOPWA); and further authorizing the proper City officials to execute all documents necessary to accept and utilize such funds.

Commissioner Moore believed a mistake had been made. He recalled an agreement by this Commission relating to \$400,000 for the 13th Street improvements. He believed the Commission had agreed to continue those improvements after completing improvements on Northwest 19th Street. Mr. Kisela thought the memorandum attempted to reflect the shifting of the funds from 13th to 19th Street. Commissioner Moore did not think that had been made clear, and he wanted to make sure everyone shared that understanding.

Commissioner Smith agreed with shifting the funds as proposed, but he did not remember the Commission’s discussion the same way Commissioner Moore did. He recalled that the community had spent many months developing a plan that would cost about \$800,000. The community had then suggested installing every other median this year and going back and filling in the others in the following year. Commissioner Smith thought 19th Street was in such a deplorable condition that it made sense to wait on finishing 13th Street improvements, he hoped that project would be finished in future years. Commissioner Moore concurred.

Commissioner Moore thought it was essential to support the Housing Authority's "Step Up" Program. He had not seen many programs that were so successful and positively impacted the lives of residents to such a degree. Commissioner Katz agreed. Commissioner Hutchinson concurred, but she had a concern about new programs for which applications had been submitted. She understood that although they met the criteria, they had not been funded because they were new.

Ms. Margaret Hayes, Housing & Community Development Division, stated that this had been the first year in which formal applications had been accepted for this funding. She advised that about \$3 million had been requested, but only \$2 million in funding had been available. In light of other demands and commitments, staff had felt existing funding levels should be maintained first. Staff had also not thought it would be fair to provide money to new programs that would not be available next year. Commissioner Hutchinson did not think the City should have solicited applications if funding had not been available. The City Manager pointed out that there had always been more applications than funds available, and the Commission had provided guidelines in terms of priorities. Commissioner Moore added that some of the programs were eligible for Children's Services funding.

Ms. Marsha Goldsby said she was present as a voter, as President of the Lauderdale Manors Homeowners' Association, and as a member of the Community Services Board. She desired assurances that these funds would not be eliminated from the budget in the future in light of the loss of federal dollars as detailed in recent newspaper articles. Commissioner Moore assured Ms. Goldsby that the City did not fear losing any money. Mayor Naugle thought the liberal media liked to portray the President as taking everyone's money away, but funds from the federal government increased every year. Commissioner Moore thought Ms. Goldsby was referring to the possibility that the City might not spend the money as quickly as federal regulations required.

Ms. Goldsby said that newspaper articles indicated that the Civil Rights Commission had started an inquiry of practices in Fort Lauderdale that could endanger federal monies. Commissioner Moore did not believe the City was in any fear of that at all. Ms. Goldsby was glad to hear that.

Ms. Goldsby agreed that the Step Up Program was a necessary program, and the Community Services Board felt this should be handled just like the Area Agency on Aging and Family Central to ensure effective use of the monies. She felt the City should provide better auditing of results, and she thought there should be a greater number of graduates of the Step Up Program.

Ms. Goldsby stated that there were two other programs that needed more funding than that recommended by staff – the Emergency Assistance Grant and the Neighborhood Beautification Program. She had been told by staff that the Neighborhood Beautification Program no longer had a 2 or 3-year waiting list, but it still needed more funding as did the Emergency Assistance Program.

Ms. Goldsby thanked the Commission for its decision regarding 13th Street and 19th Street. However, staff had reported to the Board that curbs, gutters and pavers did not meet the criteria for federal block grant dollars. Commissioner Moore advised that was not the case, and he asked staff to correct the information given to the Board in this regard. As to other potential funding sources, Commissioner Moore noted that the City was working on an affordable housing ordinance that might allow some monies for the Emergency Assistance Program. Mayor Naugle believed \$50,000 was available. Commissioner Moore agreed that was the case, but he thought that was just the beginning. Commissioner Moore noted that property tax revenues in Fort Lauderdale had increased, so perhaps more needs could be addressed such as the Neighborhood Beautification Program.

Ms. Faye Outlaw, Community Development, clarified that improvements such as curbs and gutters were eligible for federal funding, and every activity included in the Community Development Block Grant Program was taken through an eligibility test and approved by HUD.

Ms. Jennie Brooks, member of the Community Services Board, felt the Board had received incorrect information, and she had voted to cut funding for the Step Up Program as a result. She reported that the Board had held an emergency meeting on July 3, 2001 and taken another vote on the Step Up Program. Ms. Brooks said she and 5 other members had changed their votes to fund that Program in full, which she hoped the Commission would consider.

Ms. Outlaw clarified that the public meeting held by the Community Services Board had been handled at a staff level without management representation. She explained that the Division Manager had been on vacation, and information had been provided from a staff perspective. The emergency meeting had subsequently been held. Ms. Outlaw stated that staff fully supported the Step Up Program, and she recommended that it be funded in the amount of \$250,000.

Ms. Louise Dowdy was present in support of the Step Up Program. She had observed this program in action, and it was a tremendous success. Ms. Dowdy hoped the Commission would fully fund this Program so more young people could become involved. She planned to continue to seek funding for this Program at every level.

Mr. Gupta stated that an organization had been formed in 1998 to provide education for the poor and the needy. He felt food, education, shelter and health care were essential services, and he was prepared to donate \$1,000. Mr. Gupta also felt all people needed advancement in a manner similar to the National Association for the Advancement of Colored People. In addition, he planned to rent computers for Dillard High School, and he noted that if everyone donated \$1, some \$1.6 million could be raised to benefit children.

Ms. Mercedes Brown said she was with the Fort Lauderdale Housing Authority and was President of the United Residents Council. She believed everyone was aware of the good done by the Step Up Program. In fact, her sons were learning skills through this Program, and she felt more of these types of programs were necessary to help curtail crime among young, black men and women.

Pastor Jimmy Cox, of West Lauderdale Baptist Church, distributed brochures and said he understood a “pie could only be cut into so many pieces without making a mess.” He advised that the \$38,000 requested by West Lauderdale Baptist Church had been to continue operating programs this summer. He noted that the County had provided \$78,000 to operate 10 programs this summer with 150 children every day. Pastor Cox said music was one program he hoped to continue. He understood there was a new taxing district that was supposed to produce an additional \$35 million, but everyone seemed to think that would be the answer to all of the children’s needs. Pastor Cox was concerned that if current support systems were removed in Broward County with reliance upon this new taxing district, no one would be any better off. He hoped the Commission would wait to see how the new taxing district would operate before any support was diminished.

Mayor Naugle said that the amount of federal funds coming into Fort Lauderdale had not been cut. He advised that the total amount had increased every year and were projected to continue to increase. Further, he believed that the sum total spent by the County and all the cities within the County was still less than the \$35 million coming from the new taxing district. It was his understanding that the County intended to continue providing \$20 million. His greatest fear was that the School Board would go after that money, and it would not reach the kids.

Commissioner Moore thanked Mr. Goombs, of the Housing Authority, and Pastor Cox for their efforts on behalf of the community. It seemed there was consensus to go forward with the funding for the Step Up Program, and he wanted to assure Pastor Cox that he would do everything possible to encourage the Children’s Services Board to fund his programming.

Commissioner Katz asked if CDBG funds could be used to help with the sewer project in Lauderdale Manors. Ms. Outlaw stated that the \$150,000 associated with this item was for the continuation of the infrastructure improvements. She advised that the sewer assistance was scheduled to take place in a year.

Commissioner Katz asked Ms. Outlaw whether or not all the CDBG monies were being spent in a timely fashion. Ms. Outlaw replied that the City was about two weeks shy of the spending deadline. She stated that staff was trying to cut checks in the amount of \$300,000 within the next two weeks to maintain compliance with the spending requirement. She believed that could be accomplished.

Commissioner Smith wanted to enlist Pastor Cox’s help with respect to the realignment of State money to help children. He noted that the Governor was shifting money from various programs to incarceration, and he hoped Pastor Cox would help make the State see how important it was to address the needs of children before they became hardened criminals. Pastor Cox agreed with Commissioner Smith and was concerned that monies were being shifted from prevention to detention.

Motion made by Commissioner Moore and seconded by Commissioner Katz to approve the Annual Action Plan for the FY 2001/2002 Program Year for HUD Programs. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Mayor Naugle wished Dr. Lindsey was here tonight to see the results of the Step Up Program. He stated that the Step Up Program was not only changing the lives of the young participants, but it was also improving the housing provided by the Housing Authority. He had recently toured some of the apartments, and the workmanship that had been demonstrated was something of which everyone could be proud.

Mr. Philip Goombs, Executive Director of the Fort Lauderdale Housing Authority, expressed appreciation for the vote of confidence and said they would not let the Commission down.

Settlement of

General Liability Claim File No. GL 98-246 (Irma Cohen) (M-18)

A motion was presented authorizing the proper City officials to approve the settlement of General Liability File No. GL 98-246 (Irma Cohen) in the amount of \$29,000.

Motion made by Commissioner Moore and seconded by Commissioner Smith to approve the settlement of GL 98-246 (Irma Cohen) in the amount of \$29,000. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Settlement of

Police Professional Liability Claim File No. PPL 98-217 (Marc Cohen) (M-19)

A motion was presented authorizing the proper City officials to approve the settlement of Police Professional Liability File No. PPL 98-217 (Marc Cohen) in the amount of \$66,000.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to approve the settlement of PPL 98-217 (Marc Cohen) in the amount of \$66,000. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Settlement of

Workers Compensation Claim File No. WC 93-7386 (Andrew Prince) (M-20)

A motion was presented authorizing the proper City officials to approve the settlement of Workers Compensation Claim File No. WC 93-7386 (Andrew Prince) in the amount of \$175,000.

Motion made by Commissioner Moore and seconded by Commissioner Smith to approve the settlement of WC 93-7386 (Andrew Prince) in the amount of \$175,000. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

International Swimming Hall of Fame (OB)

Commissioner Smith explained that he had planned to raise this issue at the Conference meeting, but time had run out. He wished to apologize to *Dr. Sam Freas and Mr. Chuck McKirahan*, who had been waiting since 2:30 P.M. Commissioner Smith said that he had indicated he was going to monitor the situation with the International Swimming Hall of Fame (ISHOF), and he had met with Dr. Freas and the current Chair of the Board of Directors, Mr. Sam Forrester. He had also spoken with the incoming Chair, Mr. John Ebert. Even though there had been some tension with respect to plans for the Birch/Las Olas Lot, there had also been great progress. Commissioner Smith said that Dr. Freas had a report to present, and he hoped the Commission could then move ahead with the pool at the ISHOF in order to continue to attract the international aquatic events.

Commissioner Smith advised that he had also been speaking with members of the community about the ISHOF. He had also asked Mr. McKirahan, an Architect, to draw a sketch with some of the ideas that had been expressed. Commissioner Smith noted that this was a concept developed on the basis of community input, and the sketch showed a facility on the same site, but starting at the sandy beach with a partially submerged tunnel under the road. He pointed out the public pool with a cover so it could be used for functions.

Mr. McKirahan said there were less than 100 parking spaces at the existing ISHOF, so underground parking was proposed for 450 or 500 cars, which would also generate revenue. Commissioner Smith noted that the building shown in the center would house the offices of the ISHOF. He stated that as one crossed over Seabreeze Boulevard, there would be a competition pool, a training pool, and a diving pool. Commissioner Smith noted that there had to be some way to pay for this project, so a small condominium was proposed at 11 stories to allow some private development at the rear. He explained that this was just one original thought to further discussions.

Commissioner Smith believed the condominium would generate \$5 million for this \$15 million project, and he understood some State funds were available in the form of a PECO grant. He envisioned \$5 million from that source and the other \$5 million could come from tax increment financing. Mayor Naugle pointed out that the original proposal from the ISHOF for the Birch/Las Olas Lot had not involved any taxpayer expense. He wondered if the ISHOF was still interested if the City Commission rejected all of the previous proposals.

Dr. Freas explained that a task force had been formed to review all the options and verbalize concerns. He noted that the ISHOF Board was composed of people from all over the world, and there were covenants with residents of Idlewyld and the Venetian Condominium. He felt this idea was different and certainly needed analysis, but the intention was to examine all possible sites once a proposal had been deliberated. Dr. Freas was very happy that there was some positive movement.

Commissioner Smith asked the Commission to formalize a process to move ahead and look at some new ideas to meet the needs of the ISHOF. Mayor Naugle thought that would be difficult until something had been finalized for the area north of Las Olas Boulevard. He noted that there was a finite amount of density that could be permitted on the fragile barrier island, and he was not sure the public would support condominiums on both sides. Mayor Naugle preferred to defer that discussion until the RFP process and public hearings had been completed. He also pointed out that there were also issues with deed restrictions on D.C. Alexander Park.

Dr. Freas thought the City Manager had come up with a positive methodology to pursue this issue. He and his Board were comfortable with his leadership, and an analysis was necessary. Mayor Naugle agreed it would be a good idea to determine what the ISHOF needed in terms of infrastructure, but he was not comfortable going forward with another tower on the Intracoastal Waterway. Commissioner Smith said he disagreed completely.

Commissioner Moore had no problem considering a proposal, but he was losing his respect for how the ISHOF was handling this matter. He stated that development on the beach was not solely related to the ISHOF, and he found it offensive that there were threats to leave Fort Lauderdale, particularly when \$400,000 had recently been approved for the mobile museum. Only a week later, he had read an article indicating that the ISHOF was "courting" another government. Out of respect to Commissioner Smith, however, he was willing to consider a proposal. He wanted the ISHOF to be successful, but if that meant moving somewhere else, he would not want to interfere.

Commissioner Smith believed the press had printed some misinterpretations. Based on recent conversations, he thought the ISHOF felt it belonged in Fort Lauderdale and wanted to stay. He hoped to move ahead in a positive vein since the ISHOF brought so much economic vitality to the beach. Dr. Freas believed there was a formula that would make everyone happy, and he looked forward to working with the City Manager's task force to move ahead.

Commissioner Katz said she had felt the same way as Commissioner Moore, and there had been no intent to kick the ISHOF out of Fort Lauderdale when proposals had been sought for the Birch/Las Olas Lot. She wanted to keep the ISHOF in Fort Lauderdale, and she had planned to suggest a workshop meeting to exchange ideas and work something out. Dr. Freas stated that the City Manager had already started a process, and the demeanor of his Board had changed.

Commissioner Hutchinson wanted the ISHOF to succeed in Fort Lauderdale, and she did not doubt that it was successful now, but larger pools were needed. She hoped the City could be a part of that, and she wanted to hear from the City Manager with respect to his task force.

The City Manager said that the task force was exploring what would fit in the beach area and the cost to make the aquatic centers viable for international competition. Therefore, the task force was taking an economic development perspective on the issue to explore all the possibilities. He intended to present a report on August 28, 2001 at the CRA meeting.

**Rezone RMM-25 to CB – Site Plan Approval with Allocation of Flex –
London Associates, Inc. – Victoria Park Shoppes (PZ Case No. 22-ZR-00)(PH-1)**

At the May 16, 2001 Planning and Zoning Board meeting, the following application was approved by a vote of 8 to 0. Notice of the public hearing was published on June 28 and July 5, 2001. (Also see Items PH-2 and R-1 on this Agenda).

Applicant:	London Associates, Ltd.
Request:	Rezone RMM-25 to CB/site plan approval with allocation of flex
Location:	Between North Federal Highway and N.E. 7 Avenue, from N.E. 6 Street to N.E. 7 Street

Mayor Naugle called for those who wished to be heard. The following, having affirmed to speak only the truth by virtue of an oath administered by the City Clerk, appeared:

Mr. Ted Gordon said he was present to oppose this rezoning. He stated that there had been a lot of problems with the London Inn in the past, and he was concerned that there would be a similar situation in this case. He lived 50' from this proposed shopping center, and the other 11 residents of his building were opposed to the project. Mr. Gordon said everyone had worked hard to clean up this situation, and he thought the same problems would recur. He also did not think another shopping center was needed.

At 8:46 P.M., Commissioner Hutchinson left the meeting. She returned at 8:48 P.M.

Mr. Ted Fling, President of the Victoria Park Civic Association, said the London Inn had been demolished in 1996, and it had been a mess. Since that time, the area had been cleared, and a concept had been presented in 1999. At the time, the neighborhood had been excited about it, particularly since they had thought they would be rid of the Amoco Station. Over the past several years, various changes had been made based upon public input, and the neighborhood had voted unanimously to support this project.

Mayor Naugle said he had spent a lot of time dealing with the former Jones Motel and London Court, and the situation had been totally ignored by the former City Manager. Finally, it had been demolished, and he had been hoping for positive development in this location for a long time. He believed there was a huge demand for retail uses, and he was hoping for a first-class shopping center with a grocery store to serve the community. Mr. Fling believed all the concerns of the neighborhood had been addressed.

Mr. Robert Lochrie, Attorney representing the applicant, said 19 parcels had been assembled for this project, and each of the buildings on those problem properties had been demolished. He believed the developer's commitment to the area was well known, and there had been numerous meetings with the neighborhood association. Mr. Lochrie advised that various changes to the project had been made, including a landscaped area at the rear with a pedestrian sidewalk appearance.

Commissioner Smith asked if there were any plans for tattoo parlors or similar uses. Mr. Lochrie replied there were not.

Mr. Peter Feldman stated that the developer had invested millions of dollars and years trying to fix Federal Highway. He believed this project would help in that respect, and he hoped the Commission would approve this request.

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore to close public hearing. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Commissioner Katz was not against this project if a grocery store was provided. However, she was concerned about how the project would be placed on the parcel. She did not like the idea of a large parking lot on Federal Highway, which would only facilitate automobiles in an area where pedestrian friendliness and mass transit were necessary. She believed parking lots discouraged the things the City was looking for in the downtown area. Commissioner Katz inquired about the possibility of moving the grocery store closer to Federal Highway.

Commissioner Katz thought this would have been a good site for a mixed-use project with some housing, restaurants and retail. Mr. Lochrie said this project had been designed to serve a broad neighborhood, including Victoria Park and the areas to the west. He stated that people would come along Broward Boulevard and see retail uses on both sides of the street, which he felt was an imaginative way of addressing various concerns. Mr. Lochrie said that most of the surface parking had been placed along Federal Highway because the developer did not believe the area would be a pedestrian-way this far north. He thought that was more likely along 6th and 7th Avenues.

Mr. Lochrie understood Broward County Transit currently used 6th Avenue to cut through the Victoria Park neighborhood, and the developer would have no objection to a bus stop on 6th Avenue or on Federal Highway. While this property was close to the downtown area, Mr. Lochrie pointed out that it was not technically within the Regional Activity Center, but it was a transition area. Commissioner Smith thought a shuttle stop would make sense. Mr. Lochrie believed some space could be made available in the parking area for shuttle bus service.

Commissioner Katz pointed out that several residential projects were proposed in the area, and she was hoping those residents would walk or use shuttles rather than using their cars. Mr. Lochrie thought some pull in area could be provided, although it would be difficult along Federal Highway due to landscaping and engineering requirements. Mayor Naugle was frustrated with pull-in areas for buses around town because the buses never used them because the drivers did not want to lose their places in traffic. Mr. Lochrie stated that there were also concerns about making Federal Highway even wider and less pedestrian-friendly by putting in these types of drop off areas. Commissioner Katz envisioned something smaller for shuttles with shelters. Mr. Lochrie believed a place for that could be found, and Commissioner Smith suggested the issue be addressed between first and second reading of this ordinance.

Commissioner Katz wanted Federal Highway to be handled like State Road 84 with the buildings closer to the street so there would not be parking lot after parking lot along Federal Highway. Commissioner Smith thought the problem was that the large retail stores had certain requirements and wanted the parking at the front. He believed that might be possible in the future, but he believed this would be the best improvement that could be arranged at this time. Commissioner Katz thought that was debatable, but she felt the transition zoning should be reconsidered.

Commissioner Hutchinson liked this project, but she wanted to address the zoning in progress along State Road 84. She said it had been a challenge to get the development community to understand the goals. Commissioner Hutchinson felt the best example of what she would like to see was Kinko's. She noted that a portion of the parking was located at the front with the rest at the rear and sides. Commissioner Hutchinson did not think there would ever be a time when all parking was provided at the rear because retailers would go elsewhere if it were required.

Commissioner Moore agreed with Commissioner Katz in terms of parking visible from Federal Highway. He noted that the Commission had tried to change that, but he did not think there was any reason why proper landscaping could not be provided so attractive landscaping was provided along Federal Highway. Commissioner Moore desired quality landscaping as opposed to meeting minimal requirements. Commissioner Katz agreed landscaping helped, but she did not believe it was the total answer in providing for pedestrians.

Commissioner Smith felt this was one of the most responsible developers with whom he had ever worked. He stated that the properties were well maintained, and he had been continually impressed with this applicant. Commissioner Katz understood a mass transit element would be addressed before second reading. Commissioner Moore was also interested in light fixtures along the sidewalks.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-01-30

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM RMM-25 TO CB WITH THE ALLOCATION OF FLEXIBILITY THAT INCLUDES APPROVAL OF A SITE PLAN, ALL OF BLOCK 312, "PROGRESSO", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LOCATED SOUTH OF NORTHEAST 7TH STREET AND NORTH OF NORTHEAST 6TH STREET, BETWEEN NORTHEAST 7TH AVENUE AND FEDERAL HIGHWAY, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Vacate a Portion of N.E. 6 Terrace -

London Associates, Inc. – Victoria Park Shoppes (PZ Case No. 5-P-01)(PH-2)

At the May 16, 2001 Planning and Zoning Board meeting, the following application was approved by a vote of 8 to 0. Notice of the public hearing was published on June 28 and July 5, 2001. (Also see Items PH-1 and R-1 on this Agenda).

Applicant: London Associates, Ltd.
Request: Vacate a portion of N.E. 6 Terrace
Location: Between North Federal Highway and N.E. 7 Avenue, from N.E. 6 Street to N.E. 7 Street

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner Smith and seconded by Commissioner Moore to close public hearing. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Commissioner Smith introduced the following ordinance on first reading:

ORDINANCE NO. C-01-31

AN ORDINANCE VACATING, ABANDONING AND CLOSING THAT PORTION OF NORTHEAST 6TH TERRACE (PLATTED AS 17TH STREET), AS SHOWN ON THE PLAT OF "PROGRESSO", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BOUNDED ON THE NORTH BY THE SOUTH RIGHT-OF-WAY LINE OF NORTHEAST 7TH STREET (PLATTED AS AVENUE "B") AND BOUNDED ON THE SOUTH BY THE NORTH RIGHT-OF-WAY LINE OF NORTHEAST 6TH STREET (PLATTED AS AVENUE "A"), LOCATED SOUTH OF NORTHEAST 7TH STREET AND NORTH OF NORTHEAST 6TH STREET, BETWEEN NORTHEAST 7TH AVENUE AND FEDERAL HIGHWAY, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

**Rezone ABA to NBRA and Site Plan Level IV Review/Yard Modifications -
Magna Casa Development, Inc. (PZ Case Nos. 2-Z-01 and 116-R-00)(PH-3)**

At the May 16, 2001 Planning and Zoning Board meeting, the following application was approved by a vote of 8 to 0 (rezone from ABA to NBRA) and 7-1 (site plan level IV with yard modifications). Notice of the public hearing as to rezoning was published June 28 and July 5, 2001.

Applicant: Magna Casa Development, Inc.
Request: a) Rezone ABA to NBRA; and
b) Site plan level IV review/yard modifications
Location: 500 Birch Road

Mayor Naugle called for those who wished to be heard. The following appeared having affirmed to speak only the truth by virtue of an oath administered by the City Clerk:

Commissioner Smith understood the site plan was being deferred. *Ms. Courtney Callahan*, representing the applicant, stated that the applicant had been working with City staff and the neighborhood on a couple of site plan issues and wished to defer that matter to July 17, 2001.

Mayor Naugle asked if the purpose of deferring the site plan was to address a means of providing 7' sidewalks. *Ms. Callahan* replied that wider sidewalks were being addressed, although she did not know if 7' sidewalks could be achieved. Mayor Naugle suggested narrowing the travel lanes. *Ms. Callahan* said that was a possibility being explored.

Motion made by Commissioner Smith and seconded by Commissioner Moore to close the public hearing. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to reopen the public hearing. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Ms. Vicky Maury, resident of the beach area, asked the Commission to imagine what it would be like for those who needed wheelchairs. She said that with 5' sidewalks, there was barely room to pass. She did not feel they were pedestrian-friendly or safe. Ms. Maury was in favor of the rezoning.

Ms. Eileen Helfer also supported the rezoning and wider sidewalks. She felt 7' sidewalks were very important, particularly since 7 projects were being proposed for an 8-block area on the beach.

Ms. Alysian Childs, President of the Central Beach Alliance, supported this rezoning. However, the Central Beach Alliance felt 7' sidewalks were essential.

Commissioner Hutchinson asked if 7' sidewalks were workable. Mr. Hector Castro, City Engineer, believed that 7' sidewalks could be provided on Veramar and Riomar Streets, although it would be more difficult on Breakers Avenue. He also thought that changing the angle of parking and eliminating some spaces was another possibility to gain some space for wider sidewalks on Birch Road.

Mayor Naugle was hopeful that something could be worked out prior to second reading of this ordinance and consideration of the site plan. Ms. Callahan agreed that 7' sidewalks could be provided on Riomar and Veramar Streets, and she thought 6' sidewalks could be worked out on Breakers Avenue and Birch Road.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to close public hearing. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Commissioner Smith introduced the following ordinance on first reading:

ORDINANCE NO. C-01-32

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM ABA TO NBRA, LOT 4, BLOCK 3, "BIRCH OCEAN FRONT SUBDIVISION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 19, PAGE 26 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED AT THE NORTHWEST CORNER OF RIOMAR STREET AND BREAKERS AVENUE, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Motion made by Commissioner Smith and seconded by Commissioner Moore to defer the resolution relating to the development permit for this project to 6:00 p.m. on July 17, 2001. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Commissioner Moore understood everyone wanted wider sidewalks, but he was concerned about how that would be accomplished. He was particularly concerned about landscaping.

**Boundary Expansion – Northwest-Progresso-
Flagler Heights Community Redevelopment Area (NPF CRA) -
Property Located at Broward Boulevard and I-95 (also known as Konover Site)(PH-4)**

A public hearing was scheduled to consider the expansion of the current western boundary of the NPF CRA to encompass the annexed portion of the property located at Broward Boulevard and I-95 corridor (also known as Konover site). Notice of the public hearing was published on June 30, 2001.

Mayor Naugle called for those who wished to be heard. The following appeared:

Mr. Virgil Niederriter, 104 Southwest 21st Way, was pleased that bids were finally being obtained on the Konover property.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to close public hearing. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Commissioner Smith understood the boundary was being expanded to include the Konover property, but he wondered when the other boundary expansion would be approved by the County Commission. Mr. Pete Witschen, Assistant City Manager, stated that the studies had been completed, and he would provide the Commission with a report.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-121

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, FINDING THAT ONE OR MORE BLIGHTED AREAS AS DEFINED IN PART III, CHAPTER 163, FLORIDA STATUTES, EXIST IN THE CITY OF FORT LAUDERDALE WITHIN THAT AREA DESCRIBED IN ORDINANCE NO. C-00-72; FINDING THAT REHABILITATION, CONSERVATION, REDEVELOPMENT, OR A COMBINATION OF SUCH ACTIVITIES IN SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, MORALS AND WELFARE OF THE RESIDENTS OF THE CITY OF FORT LAUDERDALE; PROVIDING FOR CONFLICT WITH OTHER RESOLUTIONS AND SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Citizen Presentations (CP)

1. Beach

Mr. Joe Hessmann said he lived on Fort Lauderdale beach, and he wondered how many more acts of violence would occur before the City responded and took positive action to rid the area of the “cancer” known as Club Atlantis. He stated that everyone agreed this Club had tremendous negative impact on the beach area, which was unfortunate in light of all the positive changes in the area over the past several years. Mr. Hessmann noted that there had been gunfire at 4:00 a.m. recently when patrons were staggering out to their cars, and hundreds of complaints had been lodged.

Mr. Hessmann suggested that the City parking lots on the beach be closed at 2:00 a.m. and vehicles towed at 2:30 a.m. He also suggested that Almond Avenue be converted to a delivery lane, so the traffic would be removed from the side street. Mr. Hessmann noted that would require the removal of 10 parking meters from Almond Avenue.

Mayor Naugle thought those were excellent suggestions. He believed another action the Commission might want to consider would be to rescind the 4:00 a.m. licenses even if that had to be done Citywide. Commissioner Smith agreed that Club Atlantis had been a scourge on the area for a long time, and he appreciated Mr. Hessmann’s positive suggestions. He asked the City Attorney if the City lots could be closed at 2:00 a.m.

The City Attorney stated that the City Manager was prepared to make the suggested changes immediately under the Parking Code with the consensus of the City Commission. Commissioner Hutchinson understood that the ordinance allowing revocation of 4:00 a.m. licenses had not yet been utilized, and she wondered why. Mr. Hessmann believed Atlantis had been given a 90-day extension because the operator was experimenting with a restaurant. He did not believe it would succeed, but the owner had 90 days before the State would come in and audit the sale of food compared to the sale of liquor.

The City Attorney advised that there had been a case in State court and in appellate court, and there were 2 cases pending in federal court. In addition, 28 criminal charges were pending against managers and employees of Club Atlantis. He stated that the courts had entered a stay of enforcement against the under-21 ordinance, and it had since been lifted. The City Attorney stated that the courts had found that the military exemption in the ordinance might be unconstitutional, but the ordinance itself had been upheld. He advised that the criminal cases were set for trial this month, and the City was involved in a legal battle with heavily financed opposition by Club Atlantic. The City Attorney believed the City would prevail, and the Police Department had been compiling documentation for the next step in the process, which would be a hearing to roll back operating hours.

Commissioner Hutchinson did not understand why sufficient evidence had not yet been compiled to roll back the operating hours at this establishment. The Police Chief stated that the Police Department had been documenting incidents, and between October, 200 and July, 2001, some 120 incidents had been documented. The City Attorney noted that criminal violations had to be tied directly to the operation, as opposed to incidents that happened nearby. Commissioner Hutchinson said there was information on the Club Atlantis web site that she found appalling. The Police Chief said the Police Department was aggressively trying to tie those things to that establishment, and an incredible amount of manpower was being dedicated to this effort.

Commissioner Moore wished to remind the Commission that there were a number of problem establishments in the northwest area as well. He stated that there were a number of convenience stores that produced these same types of problems in the northwest. Commissioner Moore felt the laws should be enforced, such as those against selling single cigarettes, because these were quality of life issues.

The City Manager said he was prepared to close the beach parking lots at 2:00 a.m. as soon as signs to that effect could be posted. He expected that could be done by the end of the week. Mayor Naugle suggested that entry into the South Beach and Las Olas Oceanside Parking Lots be refused after 2:00 a.m. on a trial basis, as soon as signs could be posted except for those with resident permits. Commissioner Smith also wanted the meters on Almond Avenue "bagged" at 2:00 a.m. and wondered if there were other spaces that should be addressed. The Parking Manager said he would check.

Commissioner Smith wanted to give the City Attorney a week to respond about the idea concerning rolling back operating hours at the Club Atlantis. Commissioner Moore preferred to remove the 4:00 a.m. licenses Citywide. He also felt that closing the parking lots would just divert vehicles to private parking areas. Commissioner Smith said he had received a call today from the operator of a private parking lot who had indicated he was going to start closing at 2:00 a.m. Commissioner Moore thought he might change his mind once he realized how much money could be made if the public parking lots were closed.

Commissioner Hutchinson asked that staff provide a recommendation in September to address the convenience stores that were causing problems. Mayor Naugle suggested a multi-task force involving the tobacco regulators, etc. Commissioner Moore was very concerned about the stores that were causing so many problems for the community.

Mayor Naugle felt entry to the beach parking lots should be refused at 2:00 a.m., but he did not want to start towing vehicles for a week, and perhaps there was an area where there cars could be towed in the beach area at least in the beginning. Commissioner Smith thought the South Beach Lot could be used for that purpose, and he asked for an update from the City Manager in a week. Commissioner Moore thought the convenience stores should be addressed within a week as well.

The Police Chief stated that the Police Department had been working with State Beverage Agents on convenience stores, and he wished to note that there had actually been a 38% decrease in Part 1 crimes in the beach area over the past 12 months from the baseline count. He agreed the situation around Club Atlantis was totally unacceptable, but he did not want residents or visitors to think Fort Lauderdale's beach was unsafe because that was not the case. Insofar as convenience stores were concerned, he said the Police Department would redouble their efforts, but there were a lot of such locations and many of the stores were in locations where the use should not have been permitted in the first place.

Mayor Naugle said he had complained once about a convenience store near a church, and the church had been closed down. Commissioner Moore agreed that was exactly what had happened. He was very disappointed that the Legal Department had not addressed these issues. He recalled a time when Sergeant Farmer had helped clean up northwest Fort Lauderdale because he had been good at using the law on behalf of the people.

The City Attorney understood there was a lot of frustration about these issues. He assured the Commission that more resources had been committed to these issues over the past 2 years than at any other time in the history of the City. He stated that he could present an ordinance in a week to roll back the hours of alcohol sales, and he would provide a report with respect to convenience stores after meeting with the Police Department about the specific evidence that had been collected.

Mayor Naugle requested a report on the ordinance to roll back operating hours to midnight in the case of nuisances. Commissioner Smith did not think clubs needed to stay open until 4:00 a.m. throughout the City. He understood the City would be barraged by the club owners, but he did not care and wanted drinking establishments to close at 2:00 a.m. Mayor Naugle suggested a 2:00 a.m. closing time Citywide and rollbacks to midnight for problem clubs. It was agreed. Commissioner Smith wanted to hear the ordinance on second reading at the special meeting that would be held in August.

2. Illegal Social Service Facilities

Commissioner Smith advised that citizens from his district had withdrawn their request to appear this evening as they were working with staff about illegal social service residential facilities.

3. Community Center in Riverland Neighborhood

Mr. Omar Graham, representing the Riverland Civic Association, stated that area residents wanted a recreation center in the Riverland neighborhood. He said that residents had been waiting a long time, but they were not seeing any progress on the promised community center.

Mayor Naugle inquired on the status of this Parks Bond project. Mr. Vince Gizzi, Parks & Recreation Department, was happy to report that a \$1.5 million Swim Central grant had been approved by the County, and there was \$1.2 million left in the Parks Bond project for development after land acquisition. He stated that another \$300,000 to \$500,000 would be necessary for a community center, but the park project would include ball fields, playground equipment, a pavilion, and some open green space. It would also include a pool, and the Swim Central grant would also provide locker rooms, restrooms, a small classroom area, and some storage space. Mr. Gizzi was hopeful that additional funds could be identified to expand the pool support facility into a community center.

Mr. Pete Sheridan, Assistant City Engineer, said it would probably be about 9 months or a year before construction of this facility was started. It would then take another 9 to 12 months to complete the facility.

Mr. Graham said he would prefer a community center before a pool. Mr. Gizzi explained that the County had only approved 1 pool for Fort Lauderdale, and that amenity had ranked very high in the community. Commissioner Moore asked Mr. Graham if he would prefer that this County money be spent for a pool elsewhere in the City. Mr. Graham wanted the pool, but he wanted a community center first. Mayor Naugle felt that Fort Lauderdale should have received at least 2 pools from the County Bond Issue as its fair share. Commissioner Moore agreed, and he noted that there was another community that wanted a swimming pool.

Ms. Kathi Hauck, President of the Southwest Coalition, stated that the plan for the Park had been sent out within a 2-mile radius, and there had been no other community input. She said that the neighborhood needed a community center for meetings, and there were a lot of elderly and children in the area. Ms. Hauck said no one was against a pool, although no one had ever asked the community about that issue, but everyone wanted a community center. She believed money could be saved by using the plan Mr. Niederriter had developed.

Commissioner Moore pointed out that there had been 3 meetings held with regard to this Park, and there had been a consensus on the design, although Mr. Niederriter had not been on the side of the rest of the individuals who had participated. He noted that it was not possible to satisfy everyone, but staff was trying to be innovative and address as many needs as possible with available resources. Commissioner Moore stated that the City would continue to seek funding sources for a community center, but the Swim Central grant from the County would provide a foundation for that facility.

Ms. Hauck reported that the school was going to start charging \$21 an hour for use of the school for meetings. Commissioner Moore believed the school principals had agreed to work with community groups. Mayor Naugle understood everyone was going to be charged because the School Board had attempted to discriminate against the Boy Scouts.

Commissioner Smith asked how large the classroom proposed in the pool building would be, and Mr. Sheridan replied that it would be about 1,500 square feet. Mayor Naugle felt that was probably large enough for most meetings.

At 10:40 P.M., Commissioner Smith left the meeting.

Mr. Virgil Niederriter, 104 Southwest 21st Way, stated that the people had voted for a community center first, although he would not “look a gift horse in the mouth” in terms of the Swim Central grant. He said his first concern was the health and well being of the children and elderly in the community, and he felt the ball fields should be moved to the west to accommodate a future community center in the middle. Mr. Niederriter felt the Swim Central grant was a blessing, but he felt a separate community center was necessary.

Commissioner Moore reiterated that there had been 3 meetings in this regard. He did not mind having a discussion about the pool proposal, but he did not want to go through any more discussion about the location of the future community center. Commissioner Moore pointed out that community input had been obtained, and the proposed location had been the subject of consensus.

Mr. Niederriter asked if the community would be involved in the design of the pool. Commissioner Moore was sure that would be the case.

Mr. Niederriter said he had actually signed up to make a presentation about reopening 22nd Avenue to allow emergency vehicle access. Commissioner Moore noted that this issue had also been the subject of a community vote.

**Amend Approved Site Plan/Modification of Height/Fence Lighting –
City of Fort Lauderdale – Joseph C. Carter Park (PZ Case No. 75-R-00) (O-1)**

At the April 18, 2001 Planning and Zoning Board meeting, the following application was approved by a vote of 7 to 0. Ordinance No. C-01-24 was published on June 7 and 14, 2001, and passed on first reading on June 19, 2001 by a vote of 5 to 0.

Applicant: City of Fort Lauderdale
Request: Amendment to approved site plan/modification of height/fence/lighting
Location: 1450 West Sunrise Boulevard

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-01-24

AN ORDINANCE APPROVING STRUCTURES WITHIN A PUBLIC PARK THAT DO NOT MEET THE BUFFERYARD WALL OR LIGHTING REQUIREMENTS IN A PARKS, RECREATION AND OPEN SPACE (P) ZONING DISTRICT, WHICH PARK IS LOCATED AT 1450 WEST SUNRISE BOULEVARD; AND GRANTING RELIEF FROM THE BUFFERYARD WALL AND LIGHTING REQUIREMENTS PURSUANT TO SECTION 47-18.26 OF THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

At 10:47 P.M., Commissioner Smith returned to the meeting.

**Vacate Portion of N.E. 1 Street -
Luke Meyer, et al – The Waverly (PZ Case No. 30-P-00) (O-2)**

An ordinance was presented to consider the vacation of N.E. 1 Street for The Waverly proposed development. The vacation was approved at the Planning and Zoning Board regular meeting on April 18, 2001 by a vote of 5 to 2. Notice of the public hearing was published on May 3 and 10, 2001. At the May 1, 2001 meeting, the City Commission requested review of the parking reduction and site plan approved by the Planning and Zoning Board on April 18, 2001. On May 15, 2001, the City Commission denied approval by a vote of 2 to 3 (Hutchinson, Katz and Naugle). On June 5, 2001, the City Commission approved a motion to reconsider this application by a vote of 3 to 2 (Hutchinson and Naugle); and further approved a motion to schedule a public hearing for June 19, 2001 at 6:00 p.m. by a vote of 5 to 0. On June 19, 2001, Ordinance No. C-01-25 was approved by a vote of 4-1 (Naugle).

Applicant: Luke Meyer, et al
Request: Vacate a portion of N.E. 1 Street
Location: Northeast corner of Federal Highway (U.S. 1) and East Broward Boulevard

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-01-25

AN ORDINANCE VACATING, ABANDONING AND CLOSING A PORTION OF NORTHEAST 1ST STREET (LAWRENCE STREET) AS SHOWN ON THE PLAT OF "DAVIS ADDITION TO FORT LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 28 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; BEING BOUNDED ON THE EAST BY THE WEST RIGHT-OF-WAY LINE OF NORTHEAST 7TH AVENUE (DAVIS AVENUE) AND BOUNDED ON THE WEST BY THE EAST RIGHT-OF-WAY LINE OF FEDERAL HIGHWAY (U.S. HIGHWAY NUMBER 1) AS SHOWN ON STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 86020-2502, LOCATED EAST OF FEDERAL HIGHWAY, WEST OF NORTHEAST 7TH AVENUE, BETWEEN BROWARD BOULEVARD AND NORTHEAST 2ND STREET, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson and Katz. NAYS: Mayor Naugle.

Commissioner Hutchinson referred to construction staging. She asked that this project be brought back to the Commission at the appropriate time because it was at a focal corner. *Mr. Robert Lochrie*, Attorney representing the applicant, had no objection to that request. Mayor Naugle asked if the buildings would be demolished soon, and Mr. Lochrie replied that the plan was to demolish the buildings as soon as closing took place.

Vacate a Portion of Alley South of S.E. 2 Street between S.E. 8 Avenue and Federal Highway – The Las Olas Company, Inc. et al (PZ Case No. 21-P-00) (O-3)

At the Planning and Zoning regular meeting of January 18, 2001, it was recommended by a vote of 6 to 1 that the following application be approved. Ordinance No. C-01-26 was published March 3 and 10, 2001. On March 15, 2001, the City Commission deferred first reading to June 19, 2001 by a vote of 3 to 2 (Hutchinson and Naugle). On June 19, 2001, the City Commission approved first reading by a vote of 5 to 0.

Applicant:	The Las Olas Company, Inc. et al
Request:	Vacate a portion of alley
Location:	South of S.E. 2 Street between S.E. 8 Avenue and Federal Highway (U.S. 1)

Mayor Naugle believed the applicant had planned to address the status of the historic property on the Himmarshee Canal. *Mr. Robert Huebner*, Attorney representing the Las Olas Company, stated that since the Commission's last meeting, his client had obtained a permit to stabilize the Himmarshee Court building in order to prevent further deterioration. In addition, a contractor that specialized in historic buildings had been retained.

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-01-26

AN ORDINANCE VACATING, ABANDONING AND CLOSING ALL OF THE 10 FOOT WIDE ALLEY IN BLOCK "C", "EDGEWATER ADDITION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 123, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA AND LYING BETWEEN BLOCK 3, "BEVERLY HEIGHTS", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 30 AND BLOCK 3, "COLEE HAMMOCK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 17, BOTH OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; BOUNDED ON THE EAST BY THE WEST RIGHT-OF-WAY LINE OF SOUTHEAST 8TH AVENUE (A 50 FOOT RIGHT-OF-WAY); AND BOUNDED ON THE WEST BY THE EAST RIGHT-OF-WAY LINE OF FEDERAL HIGHWAY, AS SHOWN ON STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT OF WAY MAP, SECTION 8601-2122 (2204), DATED 11-56, LOCATED BETWEEN SOUTHEAST 2ND STREET AND SOUTHEAST 2ND COURT, EAST OF FEDERAL HIGHWAY AND WEST OF SOUTHEAST 8TH AVENUE, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Vacate a Portion of Flagler Avenue –

E. & B. Morley and T. & M. Tahmassebi (PZ Case No. 25-P-00)..... (O-4)

At the Planning and Zoning Board regular meeting on March 21, 2001, it was recommended by a vote of 8 to 0 that the following application be approved. Ordinance No. C-01-19 was published April 21, 2001. On May 1, 2001, the City Commission deferred first reading to May 15, 2001 by a vote of 5 to 0; on May 15, 2001, first reading was approved by a vote of 5 to 0. On June 5, 2001, second reading was deferred to June 19, 2001 by a vote of 5 to 0; and, on June 19, 2001, second reading was deferred to July 10, 2001 by a vote of 5 to 0.

Applicant: E. & B. Morley and T. & M. Tahmassebi
Request: Vacate a portion of Flagler Avenue abutting Lots 1 through 9, Block 59, Croissant Park, Plat Book 4, Page 28 and the Florida East Coast (FEC) Railroad.
Location: Flagler Avenue, east of the FEC Railroad, between S.W. 18 Court and S.W. 20 Street

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to defer second reading to Thursday, September 20, 2001 at 6:00 p.m. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Amendment to the Pay Plan (O-5)

An ordinance was presented amending the Pay Plan of the City, providing for new classes, title changes, class code number changes, and a title change and pay range adjustment in Schedule I, and providing for new classes and the deletion of an assignment pay in Schedule II. Ordinance No. C-01-27 was published June 9, 2001, and passed on first reading on June 19, 2001 by a vote of 4-1 (Naugle).

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-01-27

AN ORDINANCE AMENDING THE PAY PLAN OF THE CITY OF FORT LAUDERDALE, FLORIDA PROVIDING FOR NEW CLASSES, TITLE CHANGES, CLASS CODE NUMBER CHANGES, AND A TITLE CHANGE AND PAY RANGE ADJUSTMENT IN SCHEDULE I; PROVIDING FOR NEW CLASSES AND THE DELETION OF AN ASSIGNMENT PAY IN SCHEDULE II.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, and Katz. NAYS: Mayor Naugle.

Create Section 13-64 - Firefighter Service Key Boxes (O-6)

An ordinance was presented creating Section 13-64 of the Code of Ordinances to require firefighter service key boxes be maintained in all new and existing buildings with firefighter service capabilities. Ordinance No. C-01-28 was published on June 9, 2001, and passed on first reading on June 19, 2001 by a vote of 5 to 0.

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-01-28

AN ORDINANCE CREATING SECTION 13-64, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, REQUIRING FIREFIGHTER SERVICE KEY BOXES BE MAINTAINED IN ALL NEW AND EXISTING BUILDINGS WITH FIREFIGHTER SERVICE CAPABILITIES.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Amendment to Chapter 15 – Communications Services Tax (O-7)

An ordinance was presented amending Chapter 15 of the Code of Ordinances entitled "Licenses, Taxation and Miscellaneous Business Regulations," by replacing Section 15-128, "Telecommunications Public Service Tax" with a new Section 15-128, "Communications Services Tax;" providing for the adoption of the communications service tax rates as established by the Florida Legislature; electing not to require and collect engineering permit fees for the placement or maintenance of communications facilities in the City's roads or rights-of-way; and providing for notice to the State of Florida, Department of Revenue. Ordinance No. C-01-29 was published on June 9, 2001, and passed on first reading on June 19, 2001 by a vote of 5 to 0. (Also see Item R-5 on this Agenda).

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-01-29

AN ORDINANCE AMENDING CHAPTER 15, LICENSES, TAXATION AND MISCELLANEOUS BUSINESS REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, BY REPLACING SECTION 15-128, TELECOMMUNICATIONS PUBLIC SERVICE TAX WITH A NEW SECTION 15-128, COMMUNICATIONS SERVICES TAX; PROVIDING FOR THE ADOPTION OF THE COMMUNICATIONS SERVICE TAX RATES AS ESTABLISHED BY THE FLORIDA LEGISLATURE; ELECTING NOT TO REQUIRE AND COLLECT ENGINEERING PERMIT FEES FOR THE PLACEMENT OR MAINTENANCE OF COMMUNICATIONS FACILITIES IN THE CITY'S ROADS OR RIGHTS-OF-WAY; AND PROVIDING FOR NOTICE TO THE STATE OF FLORIDA, DEPARTMENT OF REVENUE.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

**Amendment to Chapter 15 – Senior Homestead Exemption
(Additional Homestead Exemption for Persons 65 Years of Age or Older) (O-8)**

An ordinance was presented amending Chapter 15 of the Code of Ordinances entitled "Licenses, Taxation and Miscellaneous Business Regulations," to create a new section entitled, "Additional Homestead Exemption," to provide for an additional homestead exemption from taxes levied by the City for certain persons 65 years of age or older which meet the constitutional and statutory requirements relating to such additional homestead exemption. Notice of the proposed ordinance was published on June 30, 2001.

Commissioner Katz wondered how many households this exemption would apply to in Fort Lauderdale. Mr. Terry Sharp, Assistant Director of Finance, stated that based on the number of people who had qualified under the County's Senior Homestead Exemption last year, he estimated 1,807 households would qualify within the City limits. Mayor Naugle asked if a map showing those households could be provided. Mr. Sharp replied that he could provide that information.

Commissioner Katz was concerned about the potential financial impact. The City Manager stated that the burden would be shifted. Mr. Sharp estimated the impact at \$210,000 plus another \$15,000 with annexed areas. Commissioner Katz had been told that it was really impossible to predict the impact. She had also been told that only 9 cities in Broward County had taken similar action because of the unknown financial impact.

Commissioner Moore said he was concerned as well, but his concern was for the elderly who did not have growing incomes or tax shelters. Mayor Naugle felt Fort Lauderdale's property taxes were among the highest in the State, which was extremely difficult for the elderly.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-01-33

AN ORDINANCE AMENDING CHAPTER 15, "LICENSES, TAXATION AND MISCELLANEOUS BUSINESS REGULATIONS", OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA BY CREATING A NEW SECTION, ENTITLED "ADDITIONAL HOMESTEAD EXEMPTION", TO PROVIDE FOR AN ADDITIONAL HOMESTEAD EXEMPTION FROM TAXES LEVIED BY THE CITY FOR CERTAIN PERSONS SIXTY-FIVE YEARS OF AGE AND OLDER WHICH MEET THE CONSTITUTIONAL AND STATUTORY REQUIREMENTS RELATING TO SUCH ADDITIONAL HOMESTEAD EXEMPTION; PROVIDING FOR DEFINITIONS; PROVIDING FOR ANNUAL ADJUSTMENT OF THE INCOME LIMITATION; PROVIDING FOR AN ANNUAL SUBMITTAL OF A SWORN INCOME STATEMENT; PROVIDING FOR NOTICE TO THE BROWARD COUNTY PROPERTY APPRAISER; PROVIDING FOR SEVERABILITY.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: Commissioner Katz.

**Vacate 15-Foot Utility Easement –
London Associates, Ltd. (DRC Case No. 8-M-01) (R-1)**

A resolution was presented authorizing the vacation of the following 15-foot utility easement. (Also see Items PH-1 and PH-2 on this Agenda).

Applicant: London Associates, Ltd.
Request: Vacate 15-foot utility easement
Location: From N.E. 6 Street to N.E. 7 Street, between N.E. 6 Terrace and N.E. 7 Avenue

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-122

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING ALL OF THE UTILITY EASEMENT RETAINED BY ORDINANCE NO. C-83-11 AND LYING OVER AND ACROSS THE VACATED 15 FOOT ALLEY RESERVATION LYING IN BLOCK 312, "PROGRESSO", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LOCATED BETWEEN NORTHEAST 6TH TERRACE AND NORTHEAST 7TH AVENUE, SOUTH OF NORTHEAST 7TH STREET AND NORTH OF NORTHEAST 6TH STREET, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Demolition of Building (R-2)

At the May 17, 2001 Unsafe Structures and Housing Appeals Board meeting, it was recommended that the City demolish the building at 2741 S.W. 4 Street and assess the property with the associated costs.

Commissioner Smith introduced a written resolution entitled:

RESOLUTION NO. 01-123

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ORDERING THE DEMOLITION OF THE BUILDING OR BUILDINGS UPON EACH PROPERTY LEGALLY DESCRIBED IN THE ATTACHED SCHEDULE "A," BECAUSE OF NON-COMPLIANCE WITH THE SOUTH FLORIDA BUILDING CODE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Broward County Urban Forest Initiative (R-3)

A resolution was presented supporting the Broward County Urban Forest Initiative to increase tree canopy in Broward County. (Requested by Mayor Naugle and Commissioners Smith and Moore).

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-124

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, SUPPORTING THE BROWARD COUNTY URBAN FOREST INITIATIVE TO INCREASE THE TREE CANOPY IN BROWARD COUNTY.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Interlocal Agreement – Florida Intergovernmental Finance Commission (R-4)

A resolution was presented authorizing the proper City officials to execute an interlocal agreement to become a member of the Florida Intergovernmental Finance Commission pursuant to such agreement.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-125

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE CITY TO ENTER INTO AN INTERLOCAL AGREEMENT AND TO BECOME A MEMBER OF FLORIDA INTERGOVERNMENTAL FINANCE COMMISSION PURSUANT TO SUCH INTERLOCAL AGREEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF AN INTERLOCAL AGREEMENT IN CONNECTION THEREWITH; AUTHORIZING CERTAIN OTHER MATTERS AND PROVIDING FOR AN EFFECTIVE DATE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Communications Services Tax –

Appointment of City Treasurer to Receive Proprietary Taxation Information..... (R-5)

A resolution was presented appointing the City Treasurer as the City official designated to receive information from the Florida Department of Revenue's database, in order to monitor the Communications Services Tax collections for the City. (Also see Item O-7 on this Agenda).

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-126

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING CLYDE J. COLE, CITY TREASURER, AS THE CITY OFFICIAL DESIGNATED TO RECEIVE CONFIDENTIAL INFORMATION IN CONNECTION WITH CHAPTER 202, FLORIDA STATUTES, THE COMMUNICATIONS SERVICES TAX SIMPLIFICATION LAW.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Second Amendment to Parking Agreement -

One Corporate Center, L.P. and Appointment of Special Bond Counsel (R-6)

A resolution was presented authorizing the proper City officials to execute the second amendment to the parking agreement with One Corporate Center, L.P.; and further authorizing the appointment of special bond counsel for redemption of City bonds. (Also see Item R-7 on this Agenda).

Mayor Naugle wondered why this was being done. He pointed out that this would obligate the City for years to provide parking to this single user and limited opportunities to sell the spaces to someone else or have different rates. Mr. Doug Gottshall, Parking and Central Services Manager, stated that the 2047 date had been enacted in the first amendment to this agreement. He noted that the additional spaces were already being utilized. Mayor Naugle did not understand why the City would increase its obligation in this aging facility, and no one knew if it would even last that long. Mr. Gottshall explained the intent was to help anchor the building and ensure good tenants.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-127

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE EXECUTION OF A SECOND AMENDMENT TO PARKING AGREEMENT WITH ONE CORPORATE CENTER, L.P., INCREASING THE NUMBER OF RESERVE SPACES TO ONE CORPORATE CENTER, L.P., AND APPOINTING ALBERT DEL CASTILLO OF THE LAW FIRM OF SQUIRE, SANDERS & DEMPSEY, P.A., AS SPECIAL BOND COUNSEL TO REPRESENT THE CITY IN THE REDEMPTION OF BONDS NECESSARY TO ADMINISTER THE SECOND AMENDMENT. _____

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson and Katz. NAYS: Mayor Naugle.

Redemption of City Bonds - One Corporate Center, L.P. (R-7)

A resolution was presented authorizing and approving the optional redemption of a portion of the outstanding City of Fort Lauderdale, Florida Excise Tax Refunding Bonds, Series A of 1989, in the aggregate amount of \$575,000. (Also see Item R-6 on this Agenda).

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-128

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING AND APPROVING THE OPTIONAL REDEMPTION FO A PORTION OF THE OUTSTANDING CITY OF FORT LAUDERDALE, FLORIDA EXCISE TAX REFUNDING BONDS, SERIES A OF 1989, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$575,000, FROM CERTAIN AVAILABLE MONIES; INSTRUCTING THE PAYING AGENT TO PROVIDE NOTICE OF REDEMPTION PURSUANT TO THE BOND RESOLUTION; PROVIDING FOR INCIDENTAL ACTION; AND PROVIDING FOR AN EFFECTIVE DATE. _____

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

**Support of Florida East Coast (FEC) Railroad –
Amtrak Rail Services from West Palm Beach to Jacksonville (R-8)**

A resolution was presented supporting the creation of Amtrak passenger rail services and enhancement of freight rail services on the FEC Railroad between West Palm Beach and Jacksonville. (Requested by Mayor Naugle).

Mayor Naugle wondered if a line should be added to the resolution so that consideration would be given to running passengers south of Palm Beach as well. Commissioner Moore did not object to discussing the idea at a future Conference meeting.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-129

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT
LAUDERDALE, FLORIDA, SUPPORTING THE ESTABLISHMENT OF AMTRAK
PASSENGER RAIL SERVICE BETWEEN THE CITIES OF JACKSONVILLE
AND WEST PALM BEACH ALONG THE EAST COAST OF FLORIDA.**

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

**Vacate 6-Foot Utility Easement –
SWA Holding Corporation (DRC Case No. 11-M-01) (R-9)**

A resolution was presented authorizing the vacation of the following 6-foot utility easement:

Applicant:	SWA Holding Corporation
Request:	Vacate 6-foot utility easement
Location:	108 Hendricks Isle (east of Hendricks Isle and west of the Rio Grande Canal)

Commissioner Smith asked if the applicant had agreed not to have any liveaboard boats. Mr. Tim Welch, Engineering Division, stated that no liveaboard boats were included in the plan. Commissioner Smith asked if an addendum could be made indicating that there could be no liveaboard boats. Mr. Chris Barton, Construction Services, stated that the site plan indicated that there would be no liveaboard boats.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-130

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THAT CERTAIN STORM SEWER EASEMENT RECORDED IN OFFICIAL RECORD BOOK 2261, AT PAGES 503 TO 504, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING THE SOUTH 6.00 FEET OF LOT 6, BLOCK 4, "VICTORIA ISLES", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 15, PAGE 67, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED ON THE EAST SIDE OF HENDRICKS ISLE AT NUMBER 108 HENDRICKS ISLE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Advisory Board Appointments (OB)

The City Clerk announced the appointees/reappointees who were the subjects of this resolution:

Aviation Advisory Board Jack Brewer

Economic Development Advisory Board Cort Neimark

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-131

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING BOARD MEMBERS AS SET FORTH IN THE EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

At 11:14 P.M., Mayor Naugle adjourned the meeting.

ATTEST:

Jim Naugle
Mayor

Lucy Masliah
City Clerk